

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

WARREN SCOTT, as Executor)
of the Estate of Nancy)
Scott, Deceased,)
Plaintiff,)
v.) CIVIL ACTION NO.
AFLAC, INCORPORATED, d/b/a) 2:21cv508-MHT
AFLAC,) (WO)
Defendant.)

ORDER

Based upon the agreement of the parties, it is
ORDERED that:

(1) Defendant's partial motion to dismiss (Doc. 5) is granted, and Counts II (negligence/wantonness), Counts III and IV (bad faith), and Count V (wrongful death) of plaintiff's complaint are dismissed with prejudice. Count I (breach of contract) remains pending.

(2) Plaintiff's motion to remand (Doc. 8) is granted, and pursuant to 28 U.S.C. § 1447(c), this

cause is remanded to the Circuit Court of Autauga County, Alabama.

(3) The motion to substitute and amend style of case (Doc. 4) is denied without prejudice.

(4) The clerk of the court is DIRECTED to take appropriate steps to effect the remand.

This case is closed in this court.

DONE, this the 13th day of September, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE